### In The United States District Court for the Aorthern District of Illinois Eastern Division

JUDGE NORDBERG

**CLERK, U.S. DISTRICT COURT** 

THE MONOTYPE CORPORATION,
a Delaware corporation,

Plaintiff,

WAGISTRATE JUDGE GERALDINE SOAT BROWN

vs.

RED HAT, INC.,
a Delaware corporation,

Defendant.

Defendant.

MICHAEL W. DOBBINS

#### **COMPLAINT**

Now comes THE MONOTYPE CORPORATION, Plaintiff herein, by its attorneys, Paul F. Stack and Robert A. Filpi, and complaining of RED HAT, INC., states as follows:

#### The Parties

- 1. The Monotype Corporation ("MONOTYPE") is a Delaware corporation with its principal place of business in Elk Grove Village, Illinois.
- 2. Red Hat, Inc. ("RED HAT") is a Delaware corporation with its principal place of business in Raleigh, North Carolina.

#### Jurisdiction

- 3. This Honorable Court has jurisdiction over the subject matter of this action pursuant to Title 15, United States Code, Section 1121(a) (Lanham Act), and Title 28, United States Code, Sections 1331, 1338(a), and 1367 and Title 17, United States Code, Section 501 (a) and (b).
- 4. Venue properly lies in this district pursuant to Title 28, United States Code, Section 1391(b)(2).

## Count I (Trademark Infringement - "Times New Roman")

5. MONOTYPE is the owner of the trademark "Times New Roman" for the following products:

Typefaces, typefonts, and type designs of alphanumeric characters and/or typographical symbols recorded as latent images in data storage media -- namely, magnetic tape, magnetic disc, optical memories and integrated circuit memories, such as ROMS, PROMS and EPROMS, in Class 9 (U.S. Cls. 26 and 38)

Typefaces, typefonts and type designs of alphanumeric characters and/or typographical symbols recorded as visible images in printer's type, printer's matrices or printed matter, dry transfer press lettering, photographic images, thermal images, ink jet images and video images, in Class 16 (U.S. Cls. 14 and 38).

6. The trademark "Times New Roman" is registered with the United States Patent and Trademark Office as Registration No. 1,340,165, with a

registration date of June 11, 1985. The trademark "Times New Roman" is statutorily incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. §1065. A true and accurate copy of the certificate of registration of the trademark "Times New Roman" is attached as Exhibit "A" to this Complaint and by that reference is made a part hereof.

- 7. For many years prior to the acts alleged in this complaint, and to this day, MONOTYPE's licensee, AGFA MONOTYPE CORPORATION, and MONOTYPE's predecessors, The Monotype Corporation plc. and The Monotype Corporation Ltd, have continuously used the mark "Times New Roman" in connection with the creation, licensing and distribution of digitized typeface designs. MONOTYPE's licensee, AGFA MONOTYPE CORPORATION, and MONOTYPE's predecessors, The Monotype Corporation plc and The Monotype Corporation Ltd, have spent great sums creating digitized typeface designs identified by this mark, advertising this mark, licensing this mark, and protecting and enforcing this mark. The digitized typeface designs identified by the mark "Times New Roman" enjoy a widespread and favorable reputation for quality, consistency, legibility, and reliability.
- 8. RED HAT is presently distributing a product in the Northern District of Illinois and elsewhere which is styled "Red Hat Linux 7.3 Operating System" (hereafter "Linux 7 OS"). The Linux 7 OS product is being distributed

in a compact disk - read only memory ("CD-ROM") format at retail stores, including the Best Buy outlet in Schaumburg, Illinois, and through download from the Internet at the website operated by RED HAT which has a Uniform Resource Locator ("URL") of <a href="https://www.redhat.com">www.redhat.com</a>.

- 9. Linux 7 OS is a computer program which consists of a Linux based operating system, together with other software programs incorporated therein.
- 10. Included within Linux 7 OS is a computer program which, when used in conjunction with appropriate hardware and software, generates human readable versions of typeface designs. The typeface designs generated by this program are identified within Linux 7 OS by the mark "Times New Roman."
- 11. The digitized typeface designs in Linux 7 OS identified by the mark "Times New Roman" are copies of the typeface designs generated by the computer program identified by the mark "Times New Roman."
- 12. The computer programs in Linux 7 OS which are identified by the mark "Times New Roman" are not true and accurate copies of computer programs owned by MONOTYPE but instead are alterations and derivative works of such computer programs owned by MONOTYPE. MONOTYPE does not know who altered such computer programs and made such derivative works, states that no one had any right or license to make such alterations or derivative works, but states that it appears that the name "Peter Soos" appears

on such computer programs in Linux 7 OS as the creator of such programs and, upon information and belief, based upon Internet research, said Peter Soos does business out of Hungary.

- 13. RED HAT has no license or other right to use the mark "Times New Roman" in conjunction with digitized typeface designs, with Linux 7 OS, or with any other product. MONOTYPE does not consent to any use of the mark "Times New Roman" by RED HAT.
- 14. The use of "Times New Roman" by RED HAT is a direct infringement of MONOTYPE's rights in the trademark "Times New Roman."
- 15. RED HAT's use of the mark "Times New Roman" in connection with the distribution of digitized typeface designs is likely to induce the public to believe, contrary to fact, that RED HAT's digitized typeface designs originated with, are sponsored by, or are otherwise licensed or approved by, or connected with, MONOTYPE. As such, RED HAT's conduct is likely to cause confusion as to the source or sponsorship of the digitized typeface designs being distributed with this mark.
- 16. RED HAT's use of the mark "Times New Roman" in connection with the distribution of digitized typeface designs is likely to cause confusion, mistake and deception, and therefore such use and threatened use infringes MONOTYPE's exclusive rights in the mark "Times New Roman" at common

law and under Section 32(1) of the Lanham Act, Title 15, United States Code, Section 1114.

- 17. RED HAT's use of the mark "Times New Roman" to identify altered versions of computer programs that generate those typeface designs, is causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 18. Unless enjoined by this court, RED HAT will continue to infringe MONOTYPE's trademark "Times New Roman" thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.

NOW THEREFORE, MONOTYPE prays for the following relief:

- A. Entry of a judgment declaring that RED HAT has infringed MONOTYPE's rights in the trademark "Times New Roman" both at common law and pursuant to the Lanham Act.
- B. Entry of a judgment declaring that RED HAT has otherwise injured MONOTYPE's reputation in the manner complained of herein;
- C. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, parents, and affiliates, and all others privy or acting in concert therewith, be enjoined pending disposition of this action and permanently from:

- (i) using "Times New Roman" or any other colorable imitation of MONOTYPE's trademark "Times New Roman" in connection with the advertising, marketing, sale and distribution of digitized typeface designs;
- (ii) making any statement or representation that would cause the public to believe, contrary to fact, that digitized typeface designs or products distributed by RED HAT, are sponsored, approved or endorsed or otherwise connected or affiliated with MONOTYPE;
- (iii) advertising, licensing, selling and/or distributing within the

  United States any product which contains digitized typeface

  designs identified by the name "Times New Roman" or any other

  colorable imitation of MONOTYPE's trademark "Times New

  Roman;" including, without limitation, Linux 7 OS; and

  (iv) otherwise infringing MONOTYPE's registered trademark

  "Times New Roman"
- D. Entry of a judgment requiring RED HAT to pay MONOTYPE such damages as MONOTYPE has sustained as a result of the aforesaid trademark infringement and directing that such damages be trebled in accordance with Section 35 of the Lanham Act, 15 U.S.C. § 1117;

- E. Entry of a judgment requiring RED HAT to account to MONOTYPE for and pay to MONOTYPE all profits RED HAT has realized which are attributable to the aforesaid acts of the trademark infringement;
- F. Entry of a judgment that this case is an exceptional one and that MONOTYPE be awarded its reasonable attorneys fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just, including an award of the costs of this proceeding.

### Count II (Trademark Infringement - "Arial")

19. MONOTYPE is the owner of the trademark "Arial" for the following products:

Typefaces, typefonts, and type designs of alphanumeric characters and/or typographical symbols recorded as latent images in data storage media -- namely, magnetic tape, magnetic discs, compact discs, optical memories and integrated circuit memories, such as ROMS, PROMS and EPROMS, in Class 9 (U.S. Cls. 26 and 38)

Typefaces, typefonts and type designs of alphanumeric characters and/or typographical symbols recorded as latent images in data storage media — namely, magnetic tape, magnetic disc, optical memories and integrated circuit memories, such as ROMS, PROMS and EPROMS, in Class 16 (U.S. Cls. 14 and 38).

- 20. The trademark "Arial" is registered with the United States Patent and Trademark Office in International Class 16 as Registration No. 1,322,088, with a registration date of February 26, 1985. This registration of the trademark "Arial" is statutorily incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. §1065. A true and accurate copy of this certificate of registration of the trademark "Arial" is attached as Exhibit "B" to this Complaint and by that reference is made a part hereof.
- 21. The trademark "Arial" is registered with the United States Patent and Trademark Office in International Class 9 as Registration No. 2,270,853, with a registration date of August 17, 1999. A true and accurate copy of this certification of registration of the trademark "Arial" is attached as Exhibit "C" to this Complaint and by that reference is made a part hereof.
- this day, MONOTYPE's licensee, AGFA MONOTYPE CORPORATION, and MONOTYPE's predecessors, The Monotype Corporation plc. and The Monotype Corporation Ltd, have continuously used the mark "Arial" in connection with the creation, licensing and distribution of digitized typeface designs. MONOTYPE's licensee, AGFA MONOTYPE CORPORATION, and MONOTYPE's predecessors, The Monotype Corporation plc and The Monotype Corporation Ltd, have spent great sums creating digitized typeface designs identified by this mark, advertising this mark, licensing this mark, and

protecting and enforcing this mark. The digitized typeface designs identified by the mark "Arial" enjoy a widespread and favorable reputation for quality, consistency, legibility, and reliability.

- 23. RED HAT is presently distributing a product in the Northern District of Illinois and elsewhere which is styled "Red Hat Linux 7.3 Operating System" (hereafter "Linux 7 OS"). The Linux 7 OS product is being distributed in a compact disk read only memory ("CD-ROM") format at retail stores, including the Best Buy outlet in Schaumburg. Illinois, and through download from the Internet at the website operated by RED HAT which has a Uniform Resource Locator ("URL") of <a href="https://www.redhat.com">www.redhat.com</a>.
- 24. Linux 7 OS is a computer program which consists of a Linux based operating system, together with other software programs incorporated therein.
- 25. Included within Linux 7 OS is a computer program which, when used in conjunction with appropriate hardware and software, generates human readable versions of typeface designs. The typeface designs generated by this program are identified within Linux 7 OS by the mark "Arial."
- 26. The digitized typeface designs in Linux 7 OS identified by the mark "Arial" are copies of the typeface designs generated by the computer program identified by the mark "Arial."

- 27. The computer programs in Linux 7 OS which are identified by the mark "Times New Roman" are not true and accurate copies of computer programs owned by MONOTYPE but instead are alterations and derivative works of such computer programs owned by MONOTYPE. MONOTYPE does not know who altered such computer programs and made such derivative works, states that no one had any right or license to make such alterations or derivative works, but states that it appears that the name "Peter Soos" appears on such computer programs in Linux 7 OS as the creator of such programs and, upon information and belief, based upon Internet research, said Peter Soos does business out of Hungary.
- 28. RED HAT has no license or other right to use the mark "Arial" in conjunction with digitized typeface designs, with Linux 7 OS, or with any other product. MONOTYPE does not consent to any use of the mark "Arial" by RED HAT.
- 29. The use of "Arial" by RED HAT is a direct infringement of MONOTYPE's rights in the trademark "Arial."
- 30. RED HAT's use of the mark "Arial" in connection with the distribution of digitized typeface designs is likely to induce the public to believe, contrary to fact, that RED HAT's digitized typeface designs originated with, are sponsored by, or are otherwise licensed or approved by, or connected with, MONOTYPE. As such, RED HAT's conduct is likely to cause confusion

as to the source or sponsorship of the digitized typeface designs being distributed with this mark.

- 31. RED HAT's use of the mark "Arial" in connection with the distribution of digitized typeface designs is likely to cause confusion, mistake and deception, and therefore such use and threatened use infringes MONOTYPE's exclusive rights in the mark "Arial" at common law and under Section 32(1) of the Lanham Act, Title 15, United States Code, Section 1114.
- 32. RED HAT's use of the mark "Arial" to identify altered versions of computer programs that generate those typeface designs, is causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 33. Unless enjoined by this court, RED HAT will continue to infringe MONOTYPE's trademark "Arial" thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.

NOW THEREFORE, MONOTYPE prays for the following relief:

- A. Entry of a judgment declaring that RED HAT has infringed MONOTYPE's rights in the trademark "Arial" both at common law and pursuant to the Lanham Act.
- B. Entry of a judgment declaring that RED HAT has otherwise injured MONOTYPE's reputation in the manner complained of herein;

- C. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, parents, and affiliates, and all others privy or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) using "Arial" or any other colorable imitation of MONOTYPE's trademark "Arial" in connection with the advertising, marketing, sale and distribution of digitized typeface designs;
  - (ii) making any statement or representation that would cause the public to believe, contrary to fact, that digitized typeface designs or products distributed by RED HAT, are sponsored, approved or endorsed or otherwise connected or affiliated with MONOTYPE;
  - (iii) advertising, licensing, selling and/or distributing within the United States any product which contains digitized typeface designs identified by the name "Arial" or any other colorable imitation of MONOTYPE's trademark "Arial;" including, without limitation, Linux 7 OS; and
  - (iv) otherwise infringing MONOTYPE's registered trademark "Arial"

- D. Entry of a judgment requiring RED HAT to pay MONOTYPE such damages as MONOTYPE has sustained as a result of the aforesaid trademark infringement and directing that such damages be trebled in accordance with Section 35 of the Lanham Act, 15 U.S.C. § 1117;
- E. Entry of a judgment requiring RED HAT to account to MONOTYPE for and pay to MONOTYPE all profits RED HAT has realized which are attributable to the aforesaid acts of the trademark infringement;
- F. Entry of a judgment that this case is an exceptional one and that MONOTYPE be awarded its reasonable attorneys fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just, including an award of the costs of this proceeding.

# COUNT III (Copyright Infringement – TIMES NEW ROMAN TT)

- 34. MONOTYPE is the owner of the copyright in various computer programs representing typeface designs. One such program, registered with the United States Copyright as Registration No. TX 5-112-110 is entitled "Times New Roman TT" A true and accurate copy of the certificate of registration is attached as Exhibit "D" hereto and by that reference is made a part hereof.
- 35. As the owner of such copyright, MONOTYPE has, *inter alia*, the exclusive rights to produce the copyrighted work in copies, to prepare

derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public.

- 36. The software program identified as "timenrm\_.pfb" in Linux 7
  OS is a derivative work of MONOTYPE's copyrighted computer program registered as aforesaid.
- 37. The copying and distribution of such derivative work of Monotype's copyrighted program is without the permission or consent, express or implied, of MONOTYPE.
- 38. Unless enjoined by this court, RED HAT will continue to infringe such copyrighted work thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 39. Irreparable damage may be presumed from a showing of copyright infringement.
- 40. The infringement complained of herein was willful on the part of RED HAT.

NOW, THEREFORE, MONOTYPE prays for the following relief:

A. Entry of a judgment declaring that RED HAT has infringed and is infringing MONOTYPE's copyright in a computer program entitled "Times New Roman TT," registered with the United States Copyright Office as Registration Number TX 5-112-110;

- B. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries, parents, and affiliates, and all others in privity or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) advertising, licensing, selling, and/or distributing within the United States any product which contains a copy of all or a part of a computer program containing digitized typeface designs registered with the United States Copyright Office as Registration Number "TX 5-112-110;" and
    - (ii) otherwise infringing MONOTYPE's copyright.
- C. Entry of a judgment temporarily and permanently enjoining RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries and affiliates, and all others in privity or acting in concert therewith, from destroying or altering in any manner any document or other materials relating in any way to the use by RED HAT of copies or derivative works of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-110 including, but not limited to, all printed materials, letters, memoranda, interoffice correspondence, written correspondence, electronic mail to and from any persons or entities who subscribed to RED HAT;

- D. Entry of a judgment affirmatively enjoining RED HAT to deliver up for impoundment and destruction all products in the possession, custody, or control of RED HAT, including products in the possession of RED HAT's dealers and distributors, containing copies of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-110;
- E. Entry of a judgment requiring RED HAT to pay MONOTYPE damages to be determined in accordance with Section 504 of the Copyright Act, Title 17, United States Code, Section 504;
- F. An award of MONOTYPE's costs, including reasonable attorneys' fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just.

## COUNT IV (Copyright Infringement- TIMES NEW ROMAN ITALIC TT)

41. MONOTYPE is the owner of the copyright in various computer programs representing typeface designs. One such program, registered with the United States Copyright as Registration No. TX 5-112-111 is entitled "Times New Roman Italic TT" A true and accurate copy of the certificate of registration is attached as Exhibit "E" hereto and by that reference is made a part hereof.

- 42. As the owner of such copyright, MONOTYPE has, *inter alia*, the exclusive rights to produce the copyrighted work in copies, to prepare derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public.
- 43. The software program identified as "timenri\_.pfb" in Linux 7 OS is a derivative work of MONOTYPE's copyrighted computer program registered as aforesaid.
- 44. The copying and distribution of such derivative work of Monotype's copyrighted program is without the permission or consent, express or implied, of MONOTYPE.
- 45. Unless enjoined by this court, RED HAT will continue to infringe such copyrighted work thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 46. Irreparable damage may be presumed from a showing of copyright infringement.
- 47. The infringement complained of herein was willful on the part of RED HAT.

NOW, THEREFORE, MONOTYPE prays for the following relief:

A. Entry of a judgment declaring that RED HAT has infringed and is infringing MONOTYPE's copyright in a computer program entitled "Times

New Roman Italic TT," registered with the United States Copyright Office as Registration Number TX 5-112-111;

- B. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries, parents, and affiliates, and all others in privity or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) advertising, licensing, selling, and/or distributing within the United States any product which contains a copy of all or a part of a computer program containing digitized typeface designs registered with the United States Copyright Office as Registration Number "TX 5-112-111;" and
    - (ii) otherwise infringing MONOTYPE's copyright.
- C. Entry of a judgment temporarily and permanently enjoining RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries and affiliates, and all others in privity or acting in concert therewith, from destroying or altering in any manner any document or other materials relating in any way to the use by RED HAT of copies or derivative works of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-111 including, but not limited to, all printed materials, letters, memoranda, interoffice correspondence,

written correspondence, electronic mail to and from any persons or entities who subscribed to RED HAT;

- D. Entry of a judgment affirmatively enjoining RED HAT to deliver up for impoundment and destruction all products in the possession, custody, or control of RED HAT, including products in the possession of RED HAT's dealers and distributors, containing copies of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-111;
- E. Entry of a judgment requiring RED HAT to pay MONOTYPE damages to be determined in accordance with Section 504 of the Copyright Act, Title 17, United States Code, Section 504;
- F. An award of MONOTYPE's costs, including reasonable attorneys' fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just.

#### **COUNT V**

### (Copyright Infringement – TIMES NEW ROMAN BOLD TT)

48. MONOTYPE is the owner of the copyright in various computer programs representing typeface designs. One such program, registered with the United States Copyright as Registration No. TX 5-112-114 is entitled "Times New Roman Bold TT" A true and accurate copy of the certificate of

registration is attached as Exhibit "F" hereto and by that reference is made a part hereof.

- 49. As the owner of such copyright, MONOTYPE has, *inter alia*, the exclusive rights to produce the copyrighted work in copies, to prepare derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public.
- 50. The software program identified as "timenrb\_.pfb" in Linux 7 OS is a derivative work of MONOTYPE's copyrighted computer program registered as aforesaid.
- 51. The copying and distribution of such derivative work of Monotype's copyrighted program is without the permission or consent, express or implied, of MONOTYPE.
- 52. Unless enjoined by this court, RED HAT will continue to infringe such copyrighted work thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 53. Irreparable damage may be presumed from a showing of copyright infringement.
- 54. The infringement complained of herein was willful on the part of RED HAT.

NOW, THEREFORE, MONOTYPE prays for the following relief:

- A. Entry of a judgment declaring that RED HAT has infringed and is infringing MONOTYPE's copyright in a computer program entitled "Times New Roman Bold TT," registered with the United States Copyright Office as Registration Number TX 5-112-114;
- B. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries, parents, and affiliates, and all others in privity or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) advertising, licensing, selling, and/or distributing within the United States any product which contains a copy of all or a part of a computer program containing digitized typeface designs registered with the United States Copyright Office as Registration Number "TX 5-112-114;" and
    - (ii) otherwise infringing MONOTYPE's copyright.
- C. Entry of a judgment temporarily and permanently enjoining RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries and affiliates, and all others in privity or acting in concert therewith, from destroying or altering in any manner any document or other materials relating in any way to the use by RED HAT of copies or derivative works of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-114 including, but not

limited to, all printed materials, letters, memoranda, interoffice correspondence, written correspondence, electronic mail to and from any persons or entities who subscribed to RED HAT;

- D. Entry of a judgment affirmatively enjoining RED HAT to deliver up for impoundment and destruction all products in the possession, custody, or control of RED HAT, including products in the possession of RED HAT's dealers and distributors, containing copies of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-114;
- E. Entry of a judgment requiring RED HAT to pay MONOTYPE damages to be determined in accordance with Section 504 of the Copyright Act, Title 17, United States Code, Section 504;
- F. An award of MONOTYPE's costs, including reasonable attorneys' fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just.

### COUNT VI (Copyright Infringement – TIMES NEW ROMAN BOLD ITALIC TT)

55. MONOTYPE is the owner of the copyright in various computer programs representing typeface designs. One such program, registered with the United States Copyright as Registration No. TX 5-112-112 is entitled "Times

New Roman Bold Italic TT." A true and accurate copy of the certificate of registration is attached as Exhibit "G" hereto and by that reference is made a part hereof.

- 56. As the owner of such copyright, MONOTYPE has, *inter alia*, the exclusive rights to produce the copyrighted work in copies, to prepare derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public.
- 57. The software program identified as "timenrbi\_.pfb" in Linux 7
  OS is a derivative work of MONOTYPE's copyrighted computer program registered as aforesaid.
- 58. The copying and distribution of such derivative work of Monotype's copyrighted program is without the permission or consent, express or implied, of MONOTYPE.
- 59. Unless enjoined by this court, RED HAT will continue to infringe such copyrighted work thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 60. Irreparable damage may be presumed from a showing of copyright infringement.
- 61. The infringement complained of herein was willful on the part of RED HAT.

NOW, THEREFORE, MONOTYPE prays for the following relief:

- A. Entry of a judgment declaring that RED HAT has infringed and is infringing MONOTYPE's copyright in a computer program entitled "Times New Roman Bold Italic TT" registered with the United States Copyright Office as Registration Number TX 5-112-112;
- B. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries, parents, and affiliates, and all others in privity or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) advertising, licensing, selling, and/or distributing within the United States any product which contains a copy of all or a part of a computer program containing digitized typeface designs registered with the United States Copyright Office as Registration Number "TX 5-112-112;" and
    - (ii) otherwise infringing MONOTYPE's copyright.
- C. Entry of a judgment temporarily and permanently enjoining RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries and affiliates, and all others in privity or acting in concert therewith, from destroying or altering in any manner any document or other materials relating in any way to the use by RED HAT of copies or derivative works of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-112 including, but not

limited to, all printed materials, letters, memoranda, interoffice correspondence, written correspondence, electronic mail to and from any persons or entities who subscribed to RED HAT;

- D. Entry of a judgment affirmatively enjoining RED HAT to deliver up for impoundment and destruction all products in the possession, custody, or control of RED HAT, including products in the possession of RED HAT's dealers and distributors, containing copies of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-112;
- E. Entry of a judgment requiring RED HAT to pay MONOTYPE damages to be determined in accordance with Section 504 of the Copyright Act, Title 17, United States Code, Section 504;
- F. An award of MONOTYPE's costs, including reasonable attorneys' fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just.

### COUNT VII (Copyright Infringement of – ARIAL ROMAN TT)

62. MONOTYPE is the owner of the copyright in various computer programs representing typeface designs. One such program, registered with the

United States Copyright as Registration No. TX 5-014-242 is entitled "Arial Roman TT." A true and accurate copy of the certificate of registration is attached as Exhibit "H" hereto and by that reference is made a part hereof.

- 63. As the owner of such copyright, MONOTYPE has, *inter alia*, the exclusive rights to produce the copyrighted work in copies, to prepare derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public.
- 64. The software program identified as "ariam\_.pfb" in Linux 7 OS is a derivative work of MONOTYPE's copyrighted computer program registered as aforesaid.
- 65. The copying and distribution of such derivative work of Monotype's copyrighted program is without the permission or consent, express or implied, of MONOTYPE.
- 66. Unless enjoined by this court, RED HAT will continue to infringe such copyrighted work thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 67. Irreparable damage may be presumed from a showing of copyright infringement.
- 68. The infringement complained of herein was willful on the part of RED HAT.

NOW, THEREFORE, MONOTYPE prays for the following relief:

- A. Entry of a judgment declaring that RED HAT has infringed and is infringing MONOTYPE's copyright in a computer program entitled "Arial Black Roman TT," registered with the United States Copyright Office as Registration Number TX 5-014-242;
- B. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries, parents, and affiliates, and all others in privity or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) advertising, licensing, selling, and/or distributing within the United States any product which contains a copy of all or a part of a computer program containing digitized typeface designs registered with the United States Copyright Office as Registration Number "TX 5-014-242;" and
    - (ii) otherwise infringing MONOTYPE's copyright.
- C. Entry of a judgment temporarily and permanently enjoining RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries and affiliates, and all others in privity or acting in concert therewith, from destroying or altering in any manner any document or other materials relating in any way to the use by RED HAT of copies or derivative works of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-014-242 including, but not

limited to, all printed materials, letters, memoranda, interoffice correspondence, written correspondence, electronic mail to and from any persons or entities who subscribed to RED HAT;

- D. Entry of a judgment affirmatively enjoining RED HAT to deliver up for impoundment and destruction all products in the possession, custody, or control of RED HAT, including products in the possession of RED HAT's dealers and distributors, containing copies of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-014-242;
- E. Entry of a judgment requiring RED HAT to pay MONOTYPE damages to be determined in accordance with Section 504 of the Copyright Act, Title 17, United States Code, Section 504;
- F. An award of MONOTYPE's costs, including reasonable attorneys' fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just.

# COUNT VIII (Copyright Infringement - ARIAL ITALIC TT)

69. MONOTYPE is the owner of the copyright in various computer programs representing typeface designs. One such program, registered with the

United States Copyright as Registration No. TX 5-112-108 is entitled "Arial Italic TT." A true and accurate copy of the certificate of registration is attached as Exhibit "I" hereto and by that reference is made a part hereof.

- 70. As the owner of such copyright, MONOTYPE has, *inter alia*, the exclusive rights to produce the copyrighted work in copies, to prepare derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public.
- 71. The software program identified as "ariai\_.pfb" in Linux 7 OS is a derivative work of MONOTYPE's copyrighted computer program registered as aforesaid.
- 72. The copying and distribution of such derivative work of Monotype's copyrighted program is without the permission or consent, express or implied, of MONOTYPE.
- 73. Unless enjoined by this court, RED HAT will continue to infringe such copyrighted work thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 74. Irreparable damage may be presumed from a showing of copyright infringement.
- 75. The infringement complained of herein was willful on the part of RED HAT.

NOW, THEREFORE, MONOTYPE prays for the following relief:

- A. Entry of a judgment declaring that RED HAT has infringed and is infringing MONOTYPE's copyright in a computer program entitled "Arial Italic TT," registered with the United States Copyright Office as Registration Number TX 5-112-108;
- B. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries, parents, and affiliates, and all others in privity or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) advertising, licensing, selling, and/or distributing within the United States any product which contains a copy of all or a part of a computer program containing digitized typeface designs registered with the United States Copyright Office as Registration Number "TX 5-112-108;" and
    - (ii) otherwise infringing MONOTYPE's copyright.
- C. Entry of a judgment temporarily and permanently enjoining RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries and affiliates, and all others in privity or acting in concert therewith, from destroying or altering in any manner any document or other materials relating in any way to the use by RED HAT of copies or derivative works of all or a part of a copyright registered in the United States

Copyright Office as Registration Number TX 5-112-108 including, but not limited to, all printed materials, letters, memoranda, interoffice correspondence, written correspondence, electronic mail to and from any persons or entities who subscribed to RED HAT;

- D. Entry of a judgment affirmatively enjoining RED HAT to deliver up for impoundment and destruction all products in the possession, custody, or control of RED HAT, including products in the possession of RED HAT's dealers and distributors, containing copies of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-108;
- E. Entry of a judgment requiring RED HAT to pay MONOTYPE damages to be determined in accordance with Section 504 of the Copyright Act, Title 17, United States Code, Section 504;
- F. An award of MONOTYPE's costs, including reasonable attorneys' fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just.

## COUNT IX (Copyright Infringement— ARIAL BOLD TT)

76. MONOTYPE is the owner of the copyright in various computer

programs representing typeface designs. One such program, registered with the United States Copyright as Registration No. TX 5-112-109 is entitled "Arial Bold TT." A true and accurate copy of the certificate of registration is attached as Exhibit "J" hereto and by that reference is made a part hereof.

- 77. As the owner of such copyright, MONOTYPE has, *inter alia*, the exclusive rights to produce the copyrighted work in copies, to prepare derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public.
- 78. The software program identified as "ariab\_.pfb" in Linux 7 OS is a derivative work of MONOTYPE's copyrighted computer program registered as aforesaid.
- 79. The copying and distribution of such derivative work of Monotype's copyrighted program is without the permission, express or implied, of MONOTYPE.
- 80. Unless enjoined by this court, RED HAT will continue to infringe such copyrighted work thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.
- 81. Irreparable damage may be presumed from a showing of copyright infringement.

82. The infringement complained of herein was willful on the part of RED HAT.

NOW, THEREFORE, MONOTYPE prays for the following relief:

- A. Entry of a judgment declaring that RED HAT has infringed and is infringing MONOTYPE's copyright in a computer program entitled "Arial Bold TT," registered with the United States Copyright Office as Registration Number TX 5-112-109;
- B. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries, parents, and affiliates, and all others in privity or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) advertising, licensing, selling, and/or distributing within the United States any product which contains a copy of all or a part of a computer program containing digitized typeface designs registered with the United States Copyright Office as Registration Number "TX 5-112-109;" and
    - (ii) otherwise infringing MONOTYPE's copyright.
- C. Entry of a judgment temporarily and permanently enjoining RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries and affiliates, and all others in privity or acting in

concert therewith, from destroying or altering in any manner any document or other materials relating in any way to the use by RED HAT of copies or derivative works of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-109 including, but not limited to, all printed materials, letters, memoranda, interoffice correspondence, written correspondence, electronic mail to and from any persons or entities who subscribed to RED HAT;

- D. Entry of a judgment affirmatively enjoining RED HAT to deliver up for impoundment and destruction all products in the possession, custody, or control of RED HAT, including products in the possession of RED HAT's dealers and distributors, containing copies of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-109;
- E. Entry of a judgment requiring RED HAT to pay MONOTYPE damages to be determined in accordance with Section 504 of the Copyright Act, Title 17, United States Code, Section 504;
- F. An award of MONOTYPE's costs, including reasonable attorneys' fees;
- G. Entry of a judgment granting such other and further relief as the court deems meet and just.

## COUNT X (Copyright Infringement – ARIAL BOLD ITALIC TT)

- 83. MONOTYPE is the owner of the copyright in various computer programs representing typeface designs. One such program, registered with the United States Copyright as Registration No. TX 5-112-116 is entitled "Arial Bold Italic TT." A true and accurate copy of the certificate of registration is attached as Exhibit "K" hereto and by that reference is made a part hereof.
- 84. As the owner of such copyright, MONOTYPE has, *inter alia*, the exclusive rights to produce the copyrighted work in copies, to prepare derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public.
- 85. The software program identified as "ariabi\_.pfb" in Linux 7 OS is a derivative work of MONOTYPE's copyrighted computer program registered as aforesaid.
- 86. The copying and distribution of such derivative work of Monotype's copyrighted program is without the permission, express or implied, of MONOTYPE.
- 87. Unless enjoined by this court, RED HAT will continue to infringe such copyrighted work thereby causing MONOTYPE immediate and irreparable damage for which MONOTYPE has no adequate remedy at law.

- 88. Irreparable damage may be presumed from a showing of copyright infringement.
- 89. The infringement complained of herein was willful on the part of RED HAT.

NOW, THEREFORE, MONOTYPE prays for the following relief:

- A. Entry of a judgment declaring that RED HAT has infringed and is infringing MONOTYPE's copyright in a computer program entitled "Arial Bold Italic TT," registered with the United States Copyright Office as Registration Number TX 5-112-116;
- B. Entry of a judgment that RED HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries, parents, and affiliates, and all others in privity or acting in concert therewith, be enjoined pending disposition of this action and permanently from:
  - (i) advertising, licensing, selling, and/or distributing within the United States any product which contains a copy of all or a part of a computer program containing digitized typeface designs registered with the United States Copyright Office as Registration Number "TX 5-112-116;" and
    - (ii) otherwise infringing MONOTYPE's copyright.
  - C. Entry of a judgment temporarily and permanently enjoining RED

HAT, its officers, agents, employees, attorneys, successors and assigns, dealers, distributors, subsidiaries and affiliates, and all others in privity or acting in concert therewith, from destroying or altering in any manner any document or other materials relating in any way to the use by RED HAT of copies or derivative works of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-116 including, but not limited to, all printed materials, letters, memoranda, interoffice correspondence, written correspondence, electronic mail to and from any persons or entities who subscribed to RED HAT;

- D. Entry of a judgment affirmatively enjoining RED HAT to deliver up for impoundment and destruction all products in the possession, custody, or control of RED HAT, including products in the possession of RED HAT's dealers and distributors, containing copies of all or a part of a copyright registered in the United States Copyright Office as Registration Number TX 5-112-116;
- E. Entry of a judgment requiring RED HAT to pay MONOTYPE damages to be determined in accordance with Section 504 of the Copyright Act, Title 17, United States Code, Section 504;
- F. An award of MONOTYPE's costs, including reasonable attorneys' fees;

G. Entry of a judgment granting such other and further relief as the court deems meet and just.

THE MONOTYPE CORPORATION

One of the attorneys for Plaintiff

Paul F. Stack Robert A. Filpi STACK & FILPI CHARTERED Suite 411 140 South Dearborn Street Chicago, Illinois 60603-5298 (312) 782-0690 (312) 782-0936 facsimile

## Exhibit A



### THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME?

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

September 17, 1997

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,340,165 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM June 11, 1985
SECTION 8 & 15
SAID RECORDS SHOW TITLE TO BE IN:
THE MONOTYPE CORPORATION
A DELAWARE CORPORATION



By Authority of the COMMISSIONER OF PATENTS AND TRADEMARKS

Certifying Officer

or U.S. Cls.: 14, 26 and 38

## United States Patent and Trademark Office Registered June 11, 1985

### TRADEMARK PRINCIPAL REGISTER

#### TIMES NEW ROMAN

MONOTYPE CORPORATION LIMITED; THE (UNITED KINGDOM CORPORATION)
HONEYCROCK LA.
SALFORDS, REDHILL, SURREY, ENGLAND RH1 5JP

FOR: TYPEFACES, TYPEFONTS, AND TYPE DESIGNS OF ALPHANUMERIC CHARACTERS AND/OR TYPOGRAPHICAL SYMBOLS RECORDED AS LATENT IMAGES IN DATA STORAGE MEDIA—NAMELY, MAGNETIC TAPE, MAGNETIC DISC, OPTICAL MEMORIES AND INTEGRATED CIRCUIT MEMORIES, SUCH AS ROMS, PROMS AND EPROMS, IN CLASS 9 (U.S. CLS. 26 AND 38).

FIRST USE 12-31-1978; IN COMMERCE 6-30-1980.

FOR: TYPEFACES, TYPEFONTS AND TYPE DESIGNS OF ALPHANUMERIC CHARACTERS AND/OR TYPOGRAPHICAL SYMBOLS RECORDED AS VISIBLE IMAGES IN PRINTER'S TYPE, PRINTER'S MATRICES OR PRINTED MATTER, DRY TRANSFER PRESS LETTERING, PHOTOGRAPHIC IMAGES, THERMAL IMAGES, INK JET IMAGES AND VIDEO IMAGES, IN CLASS 16 (U.S. CLS. 14 AND 38). FIRST USE 12-31-1934; IN COMMERCE 12-31-1934.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ROMAN", APART FROM THE MARK AS SHOWN.

SER. NO. 409,329, FILED 1-14-1983.

DONALD B. AIKEN, EXAMINING ATTORNEY

## Exhibit B



### MHEROUNE OF EARING CANDING CAN

TO ALL TO WHOM THESE PRESENTS SHALL COME;

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

September 17, 1997

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,322,088 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM February 26, 1985
SECTION 8 & 15
SAID RECORDS SHOW TITLE TO BE IN:
THE MONOTYPE CORPORATION
A DELAWARE CORPORATION



By Authority of the COMMISSIONER OF PATENTS AND TRADEMARKS

Certifying Officer

t. Cl.: 16

Prior U.S. Cls.: 14 and 38

### United States Patent and Trademark Office

Reg. No. 1,322,088 Registered Feb. 26, 1985

TRADEMARK Principal Register

ARIAL

The Monotype Corporation Limited (United Kingdom corporation)
Honeycrock La.
Salfords, Redhill, Surrey, England RH1 5JP

For: TYPEFACES, TYPEFONTS, AND TYPE DESIGNS OF ALPHANUMERIC CHARACTERS AND/OR TYPOGRAPHICAL SYMBOLS RECORDED AS LATENT IMAGES IN DATA STORAGE MEDIA—NAMELY, MAGNETIC TAPE, MAGNETIC DISC, OPTICAL MEMORIES AND INTEGRATED CIRCUIT MEMORIES, SUCH AS ROMS, PROMS AND EPROMS, in CLASS 16 (U.S. Cls. 14 and 38).

First use May 31, 1983; in commerce May 31,

Ser. No. 451,087, filed Nov. 3, 1983.

J. TINGLEY, Examining Attorney

## Exhibit C

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,270,853

United States Patent and Trademark Office

Registered Aug. 17, 1999

### TRADEMARK PRINCIPAL REGISTER

#### ARIAL

MONOTYPE CORPORATION, THE (DELA-WARE CORPORATION) 985 BUSSE ROAD ELK GROVE VILLAGE, IL 60007

FOR: TYPEFACES, TYPEFONTS, AND TYPE DESIGNS OF ALPHANUMERIC CHARACTERS AND/OR TYPOGRAPHICAL SYMBOLS RECORDED AS LATENT IMAGES IN DATA STORAGE MEDIA - NAMELY, MAGNETIC TAPE, MAGNETIC DISCS, COMPACT DISCS, OPTICAL MEMORIES AND INTEGRATED

CIRCUIT MEMORIES SUCH AS ROMS, PROMS AND EPROMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-30-1983; IN COMMERCE 11-30-1983.

OWNER OF U.S. REG. NO. 1,322,088.

SER. NO. 75-554,357, FILED 9-17-1998.

ELIZABETH J. WINTER, EXAMINING ATTORNEY

# Exhibit D

#### CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



For a Nondramatic Liberary Work UNITED STATES COPYRIGHT OFFICE

EFFECTIVE DATE OF REGISTRATION

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CIBRARY OF COT Q<sub>1</sub> RÉGISTER OF CORYRIGHTSIRATE CONTINUATION SHEET. TITLE OF THIS WORK Y TIMES NEW ROMAN TT PREVIOUS OR ALTERNATIVE TITLES Y PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. 

Title of Collective Work ▼ If published in a periodical or serial give: Volume ♥ Number V Leave Date V On Pages V NAME OF AUTHOR Y DATES OF BIRTH AND DEATH Year Born ♥ Year Died ♥ Year Died The Monotype Corporation, PLC Was this contribution to the work a **AUTHOR'S NATIONALITY OR DOMICILE** WAS THIS AUTHOR'S CONTRIBUTION work made for hire"? THE WORK **Anonymous?** □Y⇔ □ No Domicied in England O No Pseudonymous? □ Yes NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. W NOTE Computer Program Under the lew the "author" o DATES OF BIRTH AND DEATH Year Born V Year Died W a "work made for hire" to generally the employer, not the employee (see instruc-WAS THIS AUTHOR'S CONTRIBUTION THE WORK Was this contribution to the work a **AUTHOR'S NATIONALITY OR DOMICILE** work made for hire? If the and of these de Citizen of P. C Yes DYes D No one). For any ort of this ork that was Anonymous? ☐Yes ☐ No Perudonymous? NATURE OF AUTHORSHIP Briefly describe nature of anatorial created by this author in which copyright is claimed. 'made for hiry' Dravided, give NAME OF AUTHOR V DATES OF BIRTH AND DEATH he employer Year Died V Year Born ▼ (or other person for rhom the work WAS THIS AUTHOR'S CONTRIBUTION THE WORK AUTHOR'S NATIONALITY OR DOMICILE Was this contribution to the work a (benseene saw "work made for hire"? of these question "Yes," see data inst part, and ☐ Yes Citizen of ☐ Yes ☐ No Anonymous? save the sace for dates □ No Domiciled in Instructions. Pseudonymous? ☐Yes ☐ No birth and NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK YEAR IN WHICH CREATION OF THIS YEAR IN WHICH CHARTED This belower work WAS COMPLETED This belower must be given MAN April а W 1990 United States APPLICATION RECEIVED COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. \textsq WHETE HOME ONE DEPOSIT RECEIVED The Monotype Corporation 985 Busse Road TWO DEPOSITS RECEIVED Elk Grove Village, IL 60007 TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. \(\textstyle{\textstyle{V}}\) OFFICE FUNDS RECEIVED

MORE ON BACK > • Complete all applicable spaces (numbers 6-8) on the reverse side of this page.

### Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 50 of 75

CENTIFICATE OF REGISTRATION



This Certmcate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

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Registration Number of the Basic Registration ▼	Year of Basic Registration ▼
TX 5-112-110	1999
Name(s) of Author(s) ▼	Name(s) of Copyright Claimant(s) ▼
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Location and Nature of Incorrect Information in Basic Registration ▼						
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Corrected Information ▼						



Location and Nature of Information in Basic Registration to be Amplified ▼ Line Number Line Heading or Description Transfer

Amplified Information and Explanation of Information ▼

Amplification:

Explanation of Correction ▼

By written Assignment dated February 16, 1993

Explanation:

Information on the Assignment from the predecessor corporation was omitted at the time of basic registration.

. Sign the form at Space F.

# Exhibit E

### CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

For a Nondrematic Liberary Work UNITED STATES COPYRIGHT OFFICE

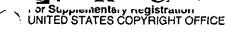
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### Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 53 of 75, 2

### CERTIFICATE OF REGISTRATION





This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



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Title of Work	.₩			
TIMES	NEW	ROMAN	ITALIC	TT

Registration Number of the Basic Registration ▼

TX 5-112-111

Name(s) of Author(s) ▼

The Monotype Corporation, PLC

Year of Basic Registration ▼

1999

Name(s) of Copyright Claimant(s) ▼

The Monotype Corporation



Location and Nature o	f Incorrect Information	in Basic Registration '	٧

Line Heading or Description Incorrect Information as It Appears in Basic Registration ▼

Corrected Information ▼

Explanation of Correction ▼



Location and Nature of Information in Basic Registration to be Amplified ▼

Line Heading or Description Transfer Line Number

Amplified Information and Explanation of Information ▼

Amplification:

By written Assignment dated February 16, 1993

Explanation:

Information on the Assignment from the predecessor corporation was omitted at the time of basic registration.

# Exhibit F

### CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



UNITED STATES COPYRIGHT OFFICE

EFFECTIVE DATE OF REGISTRATION

JUL 0 6 1999

OFFICIAL OF CONCINE OF COPYRIGHTS WATE CONTINUATION SHEET. OFFICIAITSE OF THIS WORK Y United States of America TIMES NEW ROMAN BOLD TT PREVIOUS OR ALTERNATIVE TITLES \(\nbegar{V}\) PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. ■ Title of Collective Work ▼ If published in a periodical or serial give: Volume ♥ Number V Legue Date W On Pages V DATES OF BIRTH AND DEATH Year Born ♥ Year Died ♥ NAME OF AUTHOR Y The Monotype Corporation, PLC AUTHOR'S NATIONALITY OR DOMICILE Was this contribution to the work a WAS THIS AUTHOR'S CONTRIBUTION "work made for hire"? THE WORK □ Y⇔ Anonymous? ☐Yes ☐ No Domiciled in England ONO Pseudonymous? O Yes D No NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. NOTE NAME OF AUTHOR V DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼ the "author" of a "work made for hire" is penerally the penerally the employer, not the employee (see instruc-lens). For any part of this work that was 'made for hire' thack "Yes" in AUTHOR'S NATIONALITY OR DOMICILE WAS THIS AUTHOR'S CONTRIBUTION Was this contribution to the work a THE WORK "work made for hire"? ☐Yes ☐ No Yes, Citizen of D Anonymous? Domictled in D No Pseudonymous? ☐Yes ☐ No NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼ he space provided, give he employer or other NAME OF AUTHOR Y DATES OF BIRTH AND DEATH Year Born V Year Died V C thom the work ras prepared) is "Author" of WAS THIS AUTHOR'S CONTRIBUTION THE WORK AUTHOR'S NATIONALITY OR DOMICILE Was this contribution to the work a work made for hire"? of these quee el part, and [] Yes Citizen of ☐ Yes ☐ No Anonymous? pave the pace for dates if birth and eath blank. Domiciled in □ No ☐ Yes ☐ No Pseudonymous? NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED THE ! Moras \_April \_ 6-,-Complete ONLY IF I United States COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.  $\nabla$ The Monotype Corporation 985 Busse Road Elk Grove Village, IL 60007 TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. W

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### Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 56 of 75

CENTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

TX 5-156-127

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Location and Nature of Information in Basic Registration to be Amplified ▼ Line Heading or Description \_\_Transfer

Amplified Information and Explanation of Information ▼

Amplification:

Line Number\_

Explanation of Correction ▼

By written Assignment dated February 16, 1993

Explanation:

Information on the Assignment from the predecessor corporation was omitted at the time of basic registration.

# Exhibit G

### CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

UNITED STATES COPYRIGHT OFFICE REGISTRATION MI ILMS

TX 5-112-112

EFFECTIVE DATE OF REGISTRATION

CIBRARY OF COT LATE CONTINUATION SHEET. TITLE OF THIS WORK Y United States of America TIMES NEW ROMAN BOLD ITALIC TT PREVIOUS OR ALTERNATIVE TITLES Y PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. ■ Title of Collective Work ▼ If published in a periodical or serial give: Volume Y Number V Leeve Date Y On Pages **V** NAME OF AUTHOR Y DATES OF BIRTH AND DEATH Year Born ▼ Year Died ♥ The Monotype Corporation, Was this contribution to the work a AUTHOR'S NATIONALITY OR DOMICILE WAS THIS AUTHOR'S CONTRIBUTION THE WORK work made for hire"? O Yes Anonymous? ☐Yes ☐ No Domicied in ... ... England □ No Pseudonymous? ☐Yes ☐ No NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. Computer Program
NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH Year Born ♥ Year Died ♥ b...b ro" is rally the ryor, not noteyee AUTHOR'S NATIONALITY OR DOMICILE Was this contribution to the work a WAS THIS AUTHOR'S CONTRIBUTION T THE WORK work made for hire"? O Yes Citizen of Anonymous? □Yes □ No Domiciled in it O No Pseudonymous? ☐ Yes ☐ No NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. iese ies, give NAME OF AUTHOR Y DATES OF BIRTH AND DEATH Year Born W Year Died ▼ n for the work AUTHOR'S NATIONALITY OR DOMICILE WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Was this contribution to the work a work made for hire"? ☐ Yes Citizen of Anonymous? ☐ Yes ☐ No □ No Domiciled in Pseudonymous? ☐Yes ☐ No NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This Information DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK This belowers Man April ≺Y••• haif a <u> United States</u> COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as ATION RECEIVED the author given in space 2. \times The Monotype Corporation

. . . . .

985 Busse Road

Elk Grove Village, IL 60007

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. W

ONE DEPOSIT RECEIVED TWO DEPOSITS RECEIVED

**FUNDS RECEIVED** 

### Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 59 of 75.5

#### CERTIFICATE OF REGISTRATION

Title of Work ¥



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

PAU VA VAU SR SRU I

REGISTRATION NUMBER

FFEOTIVE DATE OF SUPPLEMENTARY REGISTRAT

JUL 2 4 2000

UNITED STATES COPYRIGHT OFFICE

OFFICIAL SEAL DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE JUST A SEPARATE CONTINUATION SHEET.

TIMES NEW ROMAN BOLD ITALIC TT	
Registration Number of the Basic Registration ▼	Year of Basic Registration ▼
TX 5-112-112	1999
Name(s) of Author(s) ▼	Name(s) of Copyright Claimant(s) ▼
The Monotype Corporation, PLC	The Monotype Corporation

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Corrected Information ▼					
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Explanation of Correction ▼					



Location and Nature of Information in Basic Registration to be Amplified ▼				
Line Number4	Line Heading or DescriptionTransfer_			
Amplified Information and Explanation of Information ♥				

Amplification:

By written Assignment dated February 16, 1993

Explanation:

Information on the Assignment from the predecessor corporation was omitted at the time of basic registration.

# Exhibit H

### CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

TX 5-014-242

\*\*TX 5-014-242

Ω¥	made a part of the Copyright Office records.		EFFECTIVE DATE OF REGISTRATION		
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â	NAME OF AUTHOR ▼ The Monotype Corpo	eration. PIC	DATES OF BURTH Year Born V	AND DEATH	
	Was this contribution to the work a "work saide for birg"?	AUTHOR'S NATIONALITY OR DOMECILE	WAS THIS AUTH	OR'S CONTRIBU	
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#### Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 62 of 75

### CEHTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

NITED STATES COPYRIGHT OFFICE

TX 5-156-121

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Registration Number of the Basic Registration ▼ TX 5-014-242

Name(s) of Author(s) ▼

The Monotype Corporation, PLC

Year of Basic Registration ▼

1999

Name(s) of Copyright Claimant(s) ▼

The Monotype Corporation



Location and Nature of Inc	correct Information	in Basic Reg	istration 🔻
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Line Number \_ Line Heading or Description Incorrect Information as It Appears in Basic Registration ▼

Corrected Information ▼

Explanation of Correction ▼



Location and Nature of Information in Basic Registration to be Amplified ▼

Line Heading or Description \_\_Transfer Line Number\_

Amplified Information and Explanation of Information ▼

Amplification:

By written Assignment dated February 16, 1993

Explanation:

Information on the Assignment from the predecessor corporation was omitted at the time of basic registration.

# Exhibit I

### CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

TX 5-112-108

UNITED STATES COPYRIGHT OFFICE

EFFECTIVE DATE OF REGISTRATION

'JUL 0 6 1999

THE LIBRARY OF COT WRATE CONTINUATION SHEET. OFFICIATITE OF THIS WORK V United States of America

ARIAL ITALIC TT PREVIOUS OR ALTERNATIVE TITLES Y

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. 

Title of Collective Work ▼

	If published in a periodical or serial g	ive: Volume V Number V	Issue Date V	On Pages W
<b>2</b> a	NAME OF AUTHOR ▼ The Monotype Corpo	pration. PLC	DATES OF BIRTH A Year Born V	ND DEATH Year Died ▼
<b>////////</b>	Was this contribution to the work a "work made for hire"?  ☐ Yes  ☐ No	AUTHOR'S NATIONALITY OR DOMICILI Name of Country  OR  Citizen of Domicile in the England	THE WORK  Anonymous?	R'S CONTRIBUTION  If the armonive  of these questions  of these questions  of these questions are defined as the second ar
NOTE	Computer Progra	riefly describe nature of material created by this author	in which copyright is claimed. 🔻	
work made by hire is	NAME OF AUTHOR V		DATES OF BIRTH AI Year Born ▼	ND DEATH Year Died ♥

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Was this contribution to the work a AUTHOR'S NATIONALITY OR DOMICILE ork made for hire"? O Yes □ No Donaldled in NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed.

Anonymous? ☐Yes ☐ No Pseudonymous? ☐ Yes ☐ No

THE WORK

NAME OF AUTHOR W DATES OF BIRTH AND DEATH Year Died ▼ Year Born ▼ Was this contribution to the work a **AUTHOR'S NATIONALITY OR DOMICILE** 

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WAS THIS AUTHOR'S CONTRIBUTION THE WORK Anonymous? OYS ON Pseudonymous? TYS D No

WAS THIS AUTHOR'S CONTRIBUTION'

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed.

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This inter agricus Mile beli LY II dale proje More April United States

nace for date

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.  $\nabla$ 

The Monotype Corporation

985 Busse Road

Elk Grove Village, IL 60007

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TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

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**FUNDS RECEIVED** 

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### Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 65 of 75-5

### CENTIFICATE OF REGISTRATION

Title of Work ♥



This Certnicate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

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Registration Number of the Basic Registration ▼	Year of Basic Registration ▼
TX 5-112-108	1999
Name(s) of Author(s) ▼	Name(s) of Copyright Claimant(s) ▼
The Monotype Corporation, PLC	The Monotype Corporation

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Amplification:

By written Assignment dated February 16, 1993

Explanation:

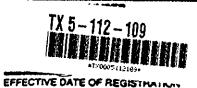
Information on the Assignment from the predecessor corporation was omitted at the time of basic registration.

## Exhibit J

#### CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



UNITED STATES COPYRIGHT OFFICE

JUL U 6 1999

WATE CONTINUATION SHEET. OFFICIATITE OF THIS WORK V United States of America ARIAL BOLD TT PREVIOUS OR ALTERNATIVE TITLES V PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the contribution appeared. ■ Title of Collective Work ▼ If published in a periodical or serial give: Volume V Number V Leave Date V On Pages V

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DATES OF BIRTH AND DEATH

Year Born V

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3	a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED THE MATERIAL BY	DATE AND NATION Complete this information ONLY If this work has been published.	ON OF FIRST PUBLICATION OF THIS PARTICULAR WG  MANA April Day 6 Year 199  United States	ORI 2
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The Monotype Corporation 985 Busse Road

NAME OF AUTHOR V

Elk Grove Village, IL 60007

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. W

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Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 68 of 75

### CEHTIFICATE OF REGISTRATION

Name(s) of Author(s) ▼



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

REGISTRATION NUMBER

UNITED STATES COPYRIGHT OFFICE

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Title of Work ▼	
ARIAL BOLD TT	
Registration Number of the Basic Registration ▼	Year of Basic Registration ♥
TX 5-112~109	1999

The Monotype Corporation, PLC

The Monotype Corporation

Name(s) of Copyright Claimant(s) ▼

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Amplified Information and Explanation of Information ▼

By written Assignment dated February 16, 1993

Explanation:

Amplification:

Information on the Assignment from the predecessor corporation was omitted at the time of basic registration.

## Exhibit K

UNITED STATES COPYRIGHT OFFI CERTIFICATE OF REGISTRATION TX 5-112-116 STATES COPYRICH, This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been EFFECTIVE DATE OF REGISTRATION made a part of the Copyright Office records. LIBRARY OF COT MATE CONTINUATION SHEET. REGISTER OF COPYRIGHTS OFFICIALISEAR THIS WORK V United States of America ARIAL BOLD ITALIC TT PREVIOUS OR ALTERNATIVE TITLES V PUBLICATION AS A CONTRIBUTION if this work was published as a contribution to a periodical, serial, or collection, give information about to collective work in which the contribution appeared.

Title of Collective Work ▼ collective work in which the contribution appeared. If published in a periodical or serial give: Valume V Number V Issue Date V On Pages V NAME OF AUTHOR Y DATES OF BIRTH AND DEATH Year Born V The Monotype Corporation, PLC WAS THIS AUTHOR'S CONTRIBUTION THE WORK Was this contribution to the work a <u>AUTHOR'S NATIONALITY OR DOMICILE</u> work made for him O Y= Anonymous? □Y⇔ □ No ridid in .- England O No Pseudonymous? DY DNo NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. Computer Program DATES OF BIRTH AND DEATH Year Born V Year Died V D or hire" le penerally the impleyer, net AUTHOR'S NATIONALITY OR DOMICILE WAS THIS AUTHOR'S CONTRIBUTION Was this contribution to the work a THE WORK work made for hire"? □ Y⇔ DY CD No Anonymous? icited in its □ No Pseudonymous? CY CONO NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. le Ser bire Mood But DATES OF BIRTH AND DEATH Year Born ♥ Year Died ♥ NAME OF AUTHOR V WAS THIS AUTHOR'S CONTRIBUTION THE WORK AUTHOR'S NATIONALITY OR DOMICILE Was this contribution to the work a work made for hire? □ Yœ ☐ Yes ☐ No Anonymous? oove the Isses for de Domiciled in DYes DNo Pseudonymous? NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This b MAN April angelein Sale LY & Sale un 1990 United States APPLICATION REGENTS COPYRIGHT CLAIMANT(S) Name and address must be given even if the citizent is the same as the author given in spect 2.  $\nabla$ ONE DEPOSIT RECEIVED The Monotype Corporation JUL 06.1999 985 Busse Road TWO DEPOSITS RECEIVED Elk Grove Village. IL 60007 TRANSFER if the chalment(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. V FUNDS RECEIVED . . . . .

Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 70 of 75 PageID #:70

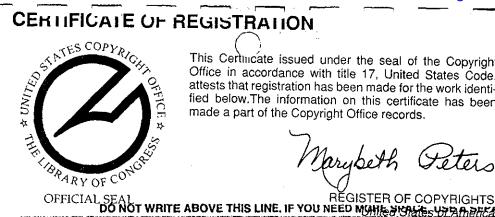
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Case: 1:02-cv-03713 Document #: 1 Filed: 05/23/02 Page 71 of 75 PageID #:71

### CEHTIFICATE OF REGISTRATION



This Certmoate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

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Title of Work

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ARIAL BOLD ITALIC TT	
Registration Number of the Basic Registration ▼	Year of Basic Registration ▼
TX 5-112-116	1999
Name(s) of Author(s) ▼	Name(s) of Copyright Claimant(s) ▼
The Monotype Corporation, PLC	The Monotype Corporation
Location and Nature of Incorrect Information in Basic Registration	



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Amplified Information and Explanation of Information ▼

Amplification:

By written Assignment dated February 16, 1993

Explanation:

Information on the Assignment from the predecessor corporation was omitted at the time of basic registration.

### Notification of Affiliates Disclosure Statement

Microsoft Corporation owns more than ten percent of the stock of The Monotype Corporation Civil Cover Sheet

Page 1 of 1

JUDGE NORDBERG

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS

MAGISTRATE JUDGE

MAGISTRATE JUDGE

GERALDINE SOAT BROWN

Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

Plaintiff(s): THE MONOTYPE

**CORPORATION** County of Residence: Cook

Defendant(s):RED HAT, INC.

County of Residence: Defendant's Atty:

Plaintiff's Atty: Paul F. Stack

Stack & Filpi Chartered

140 S. Dearborn St., Suite 411

Chicago, IL 60603 312-782-0690

II. Basis of Jurisdiction:

3. Federal Question (U.S. not a party)

III. Citizenship of Principal Parties (Diversity Cases Only)

> Plaintiff:- N/A Defendant:- N/A

IV. Origin:

1. Original Proceeding

V. Nature of Suit:

840 Trademark

VI.Cause of Action:

Trademark infringement under the Lanham Act and copyright

infringement under the Copyright Act.

VII. Requested in Complaint

Class Action: No Dollar Demand: Jury Demand: No

VIII. This case IS NOT a refiling of a previously dismissed case.

Signature:

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the Back button in your browser and change it. Once correct, print this form, sign and date it and submit it with your new civil action. Note: You may need to adjust the Revised: 06/28/00 font size in your browser display to make the form print properly.

### UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS

JUDGE NORDBERG

MAGISTRATE JUDGE GERALDINE SOAT BROWN

In the Matter of

**Eastern Division** 

THE MONOTYPE CORPORATION. Plaintiff,

RED HAT, INC. Defendant. MAY 2 4 2007
APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR: Plaintiff, THE MONOTYPE CORPORATION

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Paul F. Stack	Robert A. Filpi		
Stack & Filpi Chartered	Stack & Filpi Chartered		
street ADDRESS 140 S. Dearborn St, Suite 411	STREET ADDRESS 140 S. Dearborn St., Suite 411		
Chicago, Illinois 60603-5298	Chicago, Illinois 60603-5298		
TELEPHONE NUMBER (312) 782-0690	TELEPHONE NUMBER (312) 782-0690		
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 2698544	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 804444		
MEMBER OF TRIAL BAR?  YES  NO	MEMBER OF TRIAL BAR?  YES  NO		
TRIAL ATTORNEY? YES NO	TRIAL ATTORNEY? YES NO		
	DESIGNATED AS LOCAL COUNSEL?  YES  NO		
(C)	(D)		
SIGNATURE	SIGNATURE		
NAME	NAME		
FIRM	FIRM		
STREET ADDRESS	STREET ADDRESS		
CITY/STATE/ZIP	CITY/STATE/ZIP		
TELEPHONE NUMBER	TELEPHONE NUMBER		
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)		
MEMBER OF TRIAL BAR?  YES NO	MEMBER OF TRIAL BAR?  YES  NO		
TRIAL ATTORNEY? YES NO NO	TRIAL ATTORNEY? YES NO NO		
DESIGNATED AS LOCAL COUNSEL?  YES NO	DESIGNATED AS LOCAL COUNSEL?  YES  NO		